

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF NEW MEXICO

3

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs. 1:12-CR-01240-JAP

7 JOSE MANUEL CALDERON-GONZALES,

8 Defendant.

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10 TESTIMONY OF JARRELL W. PERRY

11 Transcript of Hearing on Motion to Suppress before The
12 Honorable James A. Parker, Senior United States District Judge,
13 held in Albuquerque, Bernalillo County, New Mexico, commencing
on Wednesday, May 1, 2013, at 10:03 a.m., and concluding at
11:48 a.m.

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15 For the Plaintiff: Shammara Henderson, Esq.

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18 For the Defendant: Benjamin C. Wilson, Esq.

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EXHIBIT D

1 Q. Okay. And are you looking at any specific seats based on
2 having reviewed the passenger area -- I'm sorry, the passenger
3 list, are you trying to match up passenger list with any of the
4 seats or the luggage inside the bus?

5 A. Well, the seats -- the seats don't matter to me because
6 there is no assigned seating. You can sit wherever you want on
7 the bus. Even if you have been sitting in seat number 2 when
8 you arrive, you can move to the back of the bus if you wish.
9 So the seating doesn't matter.

10 I look for bags that don't have nametags generally, and
11 sometimes, if I'm looking for a specific person, say, going to
12 Philadelphia, if I see a nametag on a bag of the person I'm
13 wishing to speak with, and they have that name on there, then
14 that's the person that I'm wishing to speak with. Then that's
15 my normal practice.

16 Underneath the bus, I would generally look for new bags and
17 look for specific types of bags that I've seen in the past as
18 being used to conceal narcotics.

19 Q. Do you have to move the bags or the nametags to see whether
20 or not -- to see the nametags on some occasions?

21 A. On top of the bus -- I would say on top of the bus, in the
22 passenger area, I don't manipulate or move the bags.
23 Underneath the bus, I may have to move the bag to see the
24 nametag, yes.

25 Q. And you -- when you say the "top of the bus," you mean the

1 overhead compartment of the passenger area?

2 A. Sometimes, the bags are there; sometimes, they are sitting
3 in the seats; sometimes, on the floor.

4 Q. And you don't ever look at any of the nametags or move any
5 of the nametags to see them?

6 A. I do look at the nametags, yes, if they are visible, if I
7 can see one, I'll look at the nametag, yes.

8 Q. So what time did the bus reboard?

9 A. I don't recall exactly. It wasn't -- generally, if the bus
10 is running late, they do a quicker wash, try to get the bus out
11 quicker. They don't give an hour, what I consider layover. I
12 believe it was approximately about 11:30 when I spoke with the
13 defendant in this case, so it was shortly before 11:30.

14 Q. Do you remember the bus returning from the service area
15 back to the boarding area?

16 A. I've checked hundreds of buses since then. I don't
17 remember on this date if I saw it come back or not.

18 Q. How long after, generally speaking, when the bus returns to
19 the reboarding area, how long does it take for Greyhound to
20 reboard the bus?

21 A. That depends on the driver. Some of the drivers have to do
22 a check, and they have to fill out their paperwork, some
23 drivers are quicker than others, so I can't really give you an
24 exact time. It depends on the driver.

25 Q. In this specific case on May 5, 2012, about how long did it